

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:07cv11**

**ELENA M. DAVID; ARLEEN J. STACH; and
VICTOR M. HERNANDEZ,**

Plaintiffs

Vs.

ORDER

**J. STEELE ALPHIN; AMY WOODS
BRINKLEY; EDWARD J. BROWN, III;
CHARLES J. COOLEY; RICHARD M.
DeMARTINI; BARBARA J. DESOER;
JAMES H. HANCE; LIAM E. McGEE;
EUGENE M. McQUADE; ALVARO G.
de MOLINA; MICHAEL E. O'NEILL;
OWEN G. SHELL, JR.; R. EUGENE
TAYLOR; F. WILLIAM VANDIVER, JR.;
BRADFORD H. WARNER; CHARLES W.
COKER; STEVEN JONES; KENNETH D.
LEWIS; BANK OF AMERICA
CORPORATION; BANK OF AMERICA
CORPORATION CORPORATE
BENEFITS COMMITTEE,**

Defendants.

_____)

THIS MATTER is before the court on the joint Motion for Entry of Expert Discovery Order. In substance, the parties seek to alter the operation of certain provisions of Rule 26 concerning the taking of expert depositions. These proposed alterations by agreement are all reasonable and well within the intent of Rule 26,

which allows the court to modify certain aspects of discovery. The proposed order, which was attached as an exhibit (#174-1), but not sent to the court via CyberClerk, will be incorporated herein by reference as if fully set forth. Having considered the joint motion and reviewed the pleadings, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that joint Motion for Entry of Expert Discovery Order (#174) is **GRANTED**, and the proposed Order annexed to such motion and appearing as docket entry #174-1 is incorporated herein by reference as if fully set forth.

Signed: June 24, 2010

_____

Dennis L. Howell
United States Magistrate Judge

